REMARKS

Drawings

The drawings were objected to. Specifically, the Examiner stated that "[d]rawing two contains element 201 not mentioned in the specification." The Examiner's attention is directed to paragraph [0039] of the application, where act 201 is described.

Specification

In the Office Action, the Examiner reminded the Applicants of the duty to bring to the attention of the examiner information within their knowledge as to other copending United States applications which are "material to patentability." *See* 37 C.F.R. § 1.56; M.P.E.P. § 2001.06(b).

Although Applicants do not necessarily think that these copending applications should be considered material to patentability of this case, Applicants will submit an Invention Disclosure Statement (IDS) identifying the United States applications identified by the Examiner, as well as other references associated with such applications out of an extreme abundance of caution and due to the fact that the Examiner has apparently expressed that he feels that the identified copending cases are material to patentability.[1]

The Examiner has stated that the specification of the present application must also be amended to identify the identified copending applications. Applicants respectfully disagree.

As noted in M.P.E.P. § 2001.06(b), the duty of disclosure under 37 C.F.R. § 1.56, with respect to copending applications, is to "bring such other applications to the attention of the examiner." M.P.E.P. § 2001.06(b). Applicants have not found, and Examiner has not cited, any requirement under which copending applications must also be identified in the specification. Accordingly, the specification has not been amended as requested by the Examiner. However, Applicants specifically call the Examiner's attention to the U.S. Patent Ser. Nos. 10/764,961, 10/764,745, and 10/764,622, and the other references identified in the IDS submitted previously on September 27, 2005.

Claim Objections

[1] Applicants note, for the record, that they do not believe the copending applications are, in fact, material to patentability, inasmuch as the other references do not qualify as prior art (having been filed on the same day) and do not present claims that are patentably indistinct. Nonetheless, out of the abundance of caution suggested in M.P.E.P. § 2004, ¶ 9 (i.e. recommending calling the Examiner's attention even if a reference only "might" be material to patentability), Applicants specifically call the Examiner's attention to the references noted in the IDS that will be submitted at or about the same time as this response. Nevertheless, submission of the IDS should not be construed as Applicants' acquiescence that such applications and references are, in fact, material to patentability of the present application.

Claim 11 is objected to because of the following informalities: on line 3 it reads, "edges a typographical..." This should clearly read, "edges of a typographical character. Applicants thank the Examiner for his careful review of the application. Claim 11 has been appropriately amended.

Claim Rejections

The Office Action Mailed July 26, 2005 considered claims 1-20. Claims 1-120 stand rejected.[2] By this amendment, claims 1, and 7-14 and 16-20 have been amended[3], claim 15 has been cancelled, new claims 21-23 have been added such that claims 1-14 and 16-23 remain pending, of which claims 1, 12 and 20 are the only independent claims.

The application is generally directed to providing simplified control data representing a graphical object. For example, claim 1 as amended is directed to a method for simplifying control points and includes identifying a plurality of local extrema on the outline of the graphical object. A plurality of sets of local extrema are identified. Each local extremum in a set of local extrema is on a common edge of the outline of the graphical object. Each set of local extrema includes one or more local extremum from the plurality of identified local extrema. The method further includes determining that control points interspersed between and/or at the local extremum of each set of local extrema are on a common edge of a ***simplified*** outline ***including when the control points are off of the outline of the graphical object.*** Simplified control data is generated that represents an outline of the common edges of a ***simplified*** graphical object of the graphical object. Claim 20 is similar to claim 1 except that claim 20 claims a computer program product that performs the elements of claim 1.

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[2] Claims 1 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sander-Cederlof et al. (US 5,500,927)("*Sander*") in view of Piper (US 5,760,787) ("*Piper*"). Claim 4 is rejected under 35 U.S.C. 103(a) as unpatentable over *Sander* in view of *Piper* as applied to claim 1 above, and further in view of Scola et al. (US 6,714,679 B1) ("*Scola*") and *Foley* – as cited in *Piper*. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as unpatentable over *Sander* in view of *Piper* as applied to claim 1 above, and further in view of Martinez et al. (US 5,319,358) ("*Martinez*"). Claim 15 is rejected under 35 U.S.C. 103(a) as unpatentable over *Sander* in view of *Piper* and *Martinez* as applied to claim 12 above, and further in view of *Scola* and *Foley* – as cited in *Piper*. Claim 19 is rejected under 35 U.S.C. 103(a) as unpatentable over *Sander* in view of *Piper* and *Martinez* as applied to claim 12 above, in further view of Lewis et al. (US 4,696,707)("*Lewis*"). Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[3] Support for the amendments can be found throughout the specification, but in particular at paragraphs [0036], [0037], [0055], [0056], [0057], [0058], [0059] and Figure 6.

Claim 12 is directed to a method for determining that a local extremum and control point off of the outline of the graphical object are on a common edge of a simplified outline. The method may be practiced, for example, in a computing system that has access to a set of control points representing an outline of a graphical object. The method includes identifying consecutive local extremum on the outline and a control point off of the outline. The method further includes determining that the direction of the outline at both the consecutive local extremum and control point off of the outline is at least a similar direction. Finally, ***it is determined that the local extremum is within a specified tolerance of the control point off of the outline.***

With regards to claims 1 and 20, the art cited by the Examiner fails to teach what is recited by the elements of these claims. In particular, claims 1 and 20 recite determining that control points interspersed between and/or at the local extremum of each set of local extrema are on a common edge of a ***simplified*** outline ***including when the control points are off of the outline of the graphical object.*** In direct contrast to what is recited, *Sander* teaches traversing a graphical path, creating a list of points, adding additional points (intermediate points within curved and straight line segments) (*Sander* col. 2, lines 48-55), and creating a new simplified path by removing points (*Sander* col. 3, lines 18-29). Rather than determining that control points are on a common edge of a simplified outline including when the control points are off of the outline of the graphical object, *Sander* simply teaches creating edges through points that are on the original graphical path.

Piper does not compensate for the deficiencies of *Sander*. Rather, *Piper* teaches storing a reduced number of control points for straight lines segments. *Piper* at Abstract. In other words, *Piper* reduces the number of control points when the control points lie on a part of a straight line segment. See *Piper* at col. 2, lines 28-30. When control points are off of the curve, those control points are stored (See *Piper* at Abstract), however, a new simplified outline is not created that includes the control points off of the curve as a part of the edge of the simplified outline.

Scola, *Foley*, *Martinez*, and *Lewis*, each cited to illustrate various features of the dependent claims, do not compensate for the deficiencies of *Sander* and *Piper*.

With regard to claim 12, claim 12 now recites limitations for a method for determining that a control point off of the outline of a graphical object is on a common edge of a *simplified* outline with an extremum on the outline. None of *Sander*, *Piper*, *Scola*, *Foley*, *Martines*, and

Lewis teach or suggest such limitations. For example, each of the references fails to teach at least "determining that the local extremum is within a specified tolerance of the control point off of the outline."

Furthermore, although the foregoing remarks have been focused primarily on the independent claims, it will be appreciated that all of the rejection and assertions of record with respect to the independent claims, as well as the dependent claims, are now moot, and therefore need not be addressed individually. However, in this regard, it should be appreciated that Applicant does not necessarily acquiesce to any assertions in the previous Office Action that are not specifically addressed above, and hereby reserves the right to challenge those assertions at any appropriate time in the future, should it arise, including any official notice.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 26 day of October, 2005.

Respectfully submitted,

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